

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Michael McCole,
Petitioner, '06 FEB 28 A10:36

vs.

CLERK
U.S. DISTRICT COURT

District Court Docket

04 cv 261
(Mag. Jud. Baxter)
(Judge McLaughlin)

Pennsylvania Board of Probation
& Parole,
Respondent.

**MOTION FOR EXTENSION OF TIME WITHIN WHICH
TO FILE OBJECTIONS TO MAGISTRATE JUDGE
BAXTER'S REPORT & RECOMMENDATION**

And Now Comes, pro-se Petitioner Michael McCole who
respectfully verifies:

1. Magistrate Judge Baxter filed a Report & Recommendation
in the above captioned habeas corpus case.
2. Petitioner wishes to file timely Objections to said Report &
Recommendation.
3. The ten (10) day period within which Objections are normally
filed will not be sufficient for Petitioner to file timely Objections.


4. Petitioner is imprisoned and has limited access to the law library.

5. Petitioner seeks an additional 20 day extension within which to file Objections.

6. Petitioner avers that his Objections are meritorious and this extension of time is not intended to delay these proceedings or cause undue prejudice to the opposing party.

Wherefore, Petitioner prays in relief that the Court grant him an additional 20 days within which to file and serve his Objections.^{1/}

Respectfully submitted,


Michael McCole
AS 0521
SCI Frackville
1111 Altamont Boulevard
Frackville, PA 17931

^{1/} A proposed Order is attached hereto.

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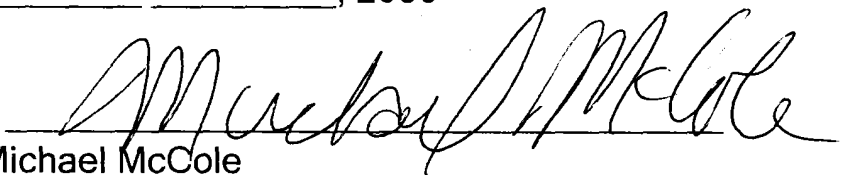
Proof of Service

The undersigned hereby certifies that a true and correct copy of the
forgoing document was served upon the opposing party's counsel of record
in the manner and date listed below:

Service by pre-paid U.S. First Class Mail addressed to:

Rodney M. Torbic
Office of the Attorney General
564 Forbes Avenue
6th Floor, Manor Complex
Pittsburgh, PA 15219

Date: FEBRUARY 8TH, 2006


Michael McCole
AS 0521
SCI Frackville
1111 Altamont Boulevard
Frackville, PA 17931

McCole v. PA Parole Board 04 cv 261

Office of the Clerk
Western Dist. of PA
17 South Park Row
Erie, PA 16501

Dear Clerk:

Kindly find enclosed for filing and forwarding to either Judge McLaughlin or Magistrate Judge Baxter the following document (proof of service is attached to the document):

**Motion for Extension of Time Within Which to File Objections
to Magistrate Judge Baxter's Report and Recommendation**

Very truly yours,

A handwritten signature in cursive script, reading "Michael McCole", written over a horizontal line.

Michael McCole
AS 0521
SCI Frackville
1111 Altamont Boulevard
Frackville, PA 17931